

REMARKS

Further examination and reconsideration of the instant patent application in view of the above amendments is respectfully requested. Claims 1-66 remain pending. Claims 1-66 are rejected. Claims 1, 11, 21, 31, 41, 51, 61 and 62 are amended herein. No new matter has been added.

35 U.S.C. §102(e)

Claims 1-66 stand rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent 6,542,744 by Lin, hereinafter referred to as the “Lin” reference. Applicants has reviewed the cited reference and respectfully submits that the embodiments of the present invention as recited in Claims 1-66 are not anticipated by Lin in view of the following rationale.

Applicants respectfully directs the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

In a server, a method of data session handoff, said method comprising:

- receiving data from a data source;
- transcoding said data;
- transmitting at least a portion of said data to an electronic device located in a first location;
- receiving notification that said electronic device is moving toward a second location served by a second server;
- transmitting a first message to said second server notifying said second server that said electronic device is moving toward said second location;
- receiving a second message from said second server that said second server is prepared to communicate with said electronic device;
- and
- said server stopping transmission of said data.

Independent Claims 11, 21, 31, 41, 51 and 61 recite similar limitations. Claims 2-10 that depend from independent Claim 1, Claims 12-20 that depend from independent Claim 11, Claims 22-30 that depend from independent Claim 21, Claims 32-40 that

100111585-1 -12- Serial No. 10/056,294
Examiner: Nguyen, Binh Quoc Art Unit: 2664

depend from independent Claim 31, Claims 42-50 that depend from independent Claim 41, Claims 52-60 that depend from independent Claim 51, and Claims 62-66 that depend from independent Claim 61 provide further recitations of the features of the present invention.

Lin and the claimed invention are very different. Applicants understand Lin to teach a handoff method in a cellular network. Lin teaches a mobile switching center (MSC) for switching an old base transceiver station (BTS) to a target BTS (Abstract). In particular, Lin does not teach, describe or suggest transcoding data. Furthermore, Lin does not teach, describe or suggest that the MSC or any cellular base station controller (CBSC) is a server.

Applicants respectfully assert that Lin does not teach, describe or suggest “transcoding said data,” as claimed (emphasis added). Examiner asserts that BTS-B and BTS-C of Figures 7-11 are transcoder devices. Applicants are unable to locate any teaching in Lin that suggests that any BTS is a transcoder or is configured to transcode data. Accordingly, Applicants respectfully assert that Lin does not teach, describe or suggest “transcoding said data” as recited in independent Claim 1, and the similar limitations as recited in independent Claims 11, 21, 31, 41, 51 and 61. Similarly, Applicants respectfully assert that Lin does not teach, describe or suggest the embodiment recited in Claim 2 of “wherein said server and said second server are transcoder devices,” and the similar limitations as recited in Claims 12, 22, 32, 42, 52 and 62.

Furthermore, Examiner asserts that the CBSCs and BTSs of Lin are servers. Applicants have reviewed the Lin reference, and unable to locate any teaching in Lin that suggests that any CBSC or BTS is a server. Accordingly, Applicants respectfully

assert that Lin does not teach, describe or suggest a “server” or a “second server” as recited in independent Claim 1, and the similar limitations as recited in independent Claims 11, 21, 31, 41, 51 and 61.

In addition, with regard to Claims 3, 13, 23, 33, 43, 53 and 63, Applicants have reviewed the Lin reference, and are unable to locate any teaching that suggest that the MSC is a content server, as asserted by the Examiner. Accordingly, Applicants respectfully assert that Lin does not teach, describe or suggest the embodiment recited in Claim 3 of “wherein said data source is a content server,” and the similar limitations as recited in Claims 13, 23, 33, 43, 53 and 63.

With regard to Claims 4, 14, 24, 34, 44, 54 and 64, Applicants have reviewed the Lin reference, and are unable to locate any teaching that suggest that the MSC is a content distribution network and that CBSC-A and CBSC-B are edge servers, as asserted by the Examiner. Accordingly, Applicants respectfully assert that Lin does not teach, describe or suggest the embodiment recited in Claim 4 of “wherein said data source is a content distribution network comprised of a plurality of edge servers,” and the similar limitations as recited in Claims 14, 24, 34, 44, 54 and 64.

Applicants respectfully asserts that nowhere does Lin teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 1, 11, 21, 31, 41, 51 and 61, that these claims overcome the rejection under 35 U.S.C. § 102(e), and are thus in a condition for allowance. Applicants respectfully submits the Lin also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-10 that depend from independent Claim 1, Claims 12-20 that depend from independent Claim 11, Claims 22-30 that depend from independent Claim 21, Claims 32-40 that depend from independent Claim 31, Claims

42-50 that depend from independent Claim 41, Claims 52-60 that depend from independent Claim 51, and Claims 62-66 that depend from independent Claim 61. Therefore, Applicants respectfully submits that Claims 2-10, 12-20, 22-30, 32-40, 42-50, 52-60, and 62-66 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

CONCLUSION

Based on the arguments presented above, Applicants respectfully asserts that Claims 1-66 overcome the rejections of record and, therefore, Applicants respectfully solicits allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
WAGNER, MURABITO & HAO LLP

Date: 1/17/, 2006



John P. Wagner, Jr.
Registration No. 35,398

WAGNER, MURABITO & HAO LLP
Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060